

REMARKS

Claims 16, 20, 21 and 26 have been amended. Claims 32 and 33 have been added. Claims 1-15 and 28-31 have been cancelled. Claims 16-27, 32 and 33 remain for further consideration. No new matter has been added.

Objections and rejections shall be taken up in the order presented in the Official Action.

1-5. The application currently stands restricted under 35 U.S.C. §§ 121 and 372 to either the invention recited in claims 1-15 and 28-31 (Group I), or the invention recited in claims 16-27 (Group II).

Applicants hereby affirm the provisional election of Group II, claims 16-27, with traverse.

6. Claims 20 and 21 currently stand objected to for informalities.

Claims 20 and 21 have been amended to correct the aforesaid informalities. Applicants respectfully submit therefore that these objections are now moot.

8. Claims 16-22 and 27 currently stand rejected under 35 U.S.C. §102(b) for allegedly being anticipated by Japanese Patent Publication No. 2002-158447 to Okada et al. (hereinafter "Okada").

Section 706.02 of the MPEP states that a translation must be obtained when an Examiner seeks to rely on a document that is in a language other than English. Such a translation is obtained so that the record is clear as to the precise facts the Examiner is relying upon in support of the rejection. Notably, the rejections of claims 16-27 rely on both the figures and certain paragraphs within the text of Okada. The Official Action however has not provided a complete

full text translation of Okada. As a result, applicants respectfully submit that the cited passages in Okada cannot be properly relied upon for the rejections of claims 16-27 until a full text translation of Okada is provided.

In the interest of expediting the prosecution of this application, applicants will respond to the rejections considering only what is disclosed in the figures and the English language abstract of Okada.

INDEPENDENT CLAIM 16

Amended claim 16 recites a multilayer semiconductor sensor that includes:

*“a first functional layer;
a second functional layer;
an intermediate layer disposed between the first and the second functional layers in a first predetermined region; and
a plurality of anchoring elements each embedded in at least two of the first and the second functional layers and the intermediate layer, where the anchoring elements comprise a **different** material than that of the first and the second functional layers.”* (Emphasis added).

The Official Action contends that the claimed *first functional layer*, *second functional layer*, *intermediate layer* and *anchoring elements* read respectively on elements 101, 108, 102 and 104 as illustrated in FIGS. 1(a)-1(f) of Okada. (Official Action, pg 4). Applicants respectfully submit, however, that Okada fails to disclose that the elements 104 comprise a different material than that of the elements 101 and 108. As a result, applicants respectfully submit that Okada is incapable of anticipating amended claim 16 since Okada fails to disclose the claimed feature of “*where the anchoring elements comprise a different material than that of the first and the second functional layers.*” (Emphasis added).

DEPENDENT CLAIMS 17-22 AND 27

Claims 17-22 and 27 depend from independent claim 16. Applicants respectfully submit therefore that the rejections of claims 17-22 and 27 are moot since amended claim 16 is patentable for at least the reasons as set forth above.

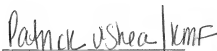
11. Claims 23-26 currently stand rejected under 35 U.S.C. §103(a) for allegedly being unpatentable over Okada.

Claims 23-26 depend from independent claim 16. Applicants respectfully submit therefore that the rejections of claims 23-26 are now moot since amended claim 16 is patentable for at least the reasons as set forth above.

For all the foregoing reasons, reconsideration and allowance of claims 16-27, 32 and 33 is respectfully requested.

If a telephone interview could assist in the prosecution of this application, please call the undersigned attorney.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Patrick J. O'Shea", followed by a vertical line and the letters "KMF".

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